

A. Summary of Claims

Claims 1-96 were pending at the time the Restriction Requirement was mailed to Applicant. Claims 4-8 have been amended. Non-limiting support for these claims can be found throughout the specification and claims as originally filed (*see, e.g.*, original claims 1 and 4-8). No claims have been added or cancelled. Claims 1-96 are pending.

B. Response to Restriction Requirement

The Examiner requests restriction to one of the following two groups:

- I. Claims 1-4, 9 and 11-55, drawn to a method of producing an active nickel powder; and
- II. Claims 5-8, 10 and 56-96, drawn to a method of producing an active nickel carbonyl.

In response, Applicant elects Group I (*i.e.*, claims 1-4, 9 and 11-55). Applicant notes that claims 5-8, 10 and 56-96 of the Group II claims currently depend from claims 1-4 of the Group I claims. As such, claims 1-96 read on elected Group I.

C. Misnumbered Claims

Applicant notes that the claims are misnumbered (*e.g.*, claims 52 and 87). In a phone message to Applicant's representative, Tamsen Barrett, on October 29, 2008, Examiner Chan suggested renumbering the claims in the first Office Action. Applicant agrees.

D. Conclusion

Applicant believes that this is a complete response to the Restriction Requirement dated October 1, 2008. Applicant requests that the present Restriction Requirement be withdrawn and that all of the Group I and Group II claims in this case be examined on their merits.

Response to Restriction and Species
Election Requirement Mailed October 1, 2008
Appl. No. 10/537,069

The Examiner is invited to contact the undersigned Attorney at (512) 536-3015 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,



Tamara A. Kale
Reg. No. 53,087
Attorney for Applicant

FULBRIGHT & JAWORSKI L.L.P.
600 Congress Avenue, Suite 2400
Austin, Texas 78701
(512) 474-5201
(512) 536-4598 (facsimile)

Date: October 30, 2008